



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Firstbank Puerto Rico,

Plaintiff,

-against-

Barclays Capital, Inc.,

Defendant.
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ORDER
09 cv 10317 (GBD)

GEORGE B. DANIELS, District Judge:

Defendant's Rule 12(b)(6) Motion to Dismiss Plaintiff's unjust enrichment, constructive trust/accounting, and conversion claims is denied.

Defendant's Motion to Dismiss is granted to the extent Plaintiff's negligence and breach of contract claims are dismissed for failure to state a cause of action.

Dated: May 3, 2010
New York, New York

SO ORDERED:

GEORGE B. DANIELS
United States District Judge